

PC
021001373
1/27/10
1500

PAULA T. DOW
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street - 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Veterinary
Medical Examiners

RECEIVED and FILED by the
NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS
on this date of: 2-9-2011

By: Joanne Leone
Deputy Attorney General
(973) 648-2436

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

CRAIG T. FENWICK, D.V.M.

TO PRACTICE VETERINARY MEDICINE
IN THE STATE OF NEW JERSEY

:
:
:
:
:
:
:
:

Administrative Action

CONSENT ORDER

This matter was opened to the State Board of Veterinary Medical Examiners (the "Board") following the Board's review of a consumer complaint filed by D.G. against Craig T. Fenwick, D.V.M. ("Respondent"). The consumer complaint alleged that the Respondent engaged in negligence and misdiagnosis in the treatment of the complainant's three (3) year old Stafford Terrier, "Romeo," between July 24, 2009 and October 14, 2009 in that Respondent failed to

properly diagnose and treat the cause of Romeo's leg dragging following surgery for a cruciate ligament, which resulted in the development of a sore on top of the dog's paw and possible permanent nerve damage.

In correspondence to the Board, Dr. Fenwick asserts that the allegations are unfounded. Respondent states that upon initial examination Romeo already had extremely poor hind limb conformation, both legs were in constant hyperextension, and the nails on the rear paws were worn down. Respondent advised that he used the lateral retinacular stabilization technique, the surgery went well with no complications, and the dog's knee was stable post-operatively. According to Dr. Fenwick, while the surgery stabilized the dog's knee, it did nothing for the dog's rear leg hyperextension. Upon re-examination, the knee remained stable, although some limping was noted which is expected after this type of surgery. Respondent recommended strict rest and leash walk for two weeks. Dr. Fenwick states that the broken stabilizing monofilament suture is evidence of too much premature stress on the knee. Respondent also recommended that Romeo wear booties on both rear paws because the other rear leg also exhibited abrasions on the paw. According to Dr. Fenwick, the x-ray machine at the Hospital is not sophisticated enough to detect a broken monofilament suture and if there was a detectable broken stabilizing suture, he would have repaired it himself. Respondent

opined that if the crimp was distal and caudal to his original placement, then it migrated there by excessive movement post-surgically.

The Board, following its review of the patient records and other relevant documents in this matter, has determined that the medical services Dr. Fenwick provided to Romeo did not constitute repeated or gross negligence, in violation of N.J.S.A. 45:1-21(c)(d). However, the Board has concluded that Dr. Fenwick violated or failed to comply with its patient record regulation, N.J.A.C. 13:44-4.9, in that his medical records for Romeo do not contain information required by the regulations. Specifically, the Board noted that the records completed by Dr. Fenwick failed to contain information, including, but not limited to: 1) identification of the client, pet, or treating doctor; 2) lack of detail of surgical notes on the procedure performed, no mention of the surgical hardware implanted, and no anesthesia notes; and 3) illegible notes. This conduct constitutes a violation of N.J.S.A. 45:1-21(h), and specifically, N.J.A.C. 13:44-4.9, and therefore, establishes a basis for disciplinary action.

The parties desiring to resolve this matter without the need for further disciplinary proceedings; and the Respondent acknowledging and not contesting the findings of the Board and waiving any right to a hearing in this matter; and the Board having

been satisfied that the within resolution adequately protects the public health, safety and welfare, and for good cause shown;

IT IS, THEREFORE, ON THIS 31st DAY OF January, 2010,

ORDERED THAT:

1. The Respondent, Craig T. Fenwick, D.V.M., shall cease and desist from any further violations of N.J.S.A. 45:1-21(h) and N.J.A.C. 13:44-4.9.

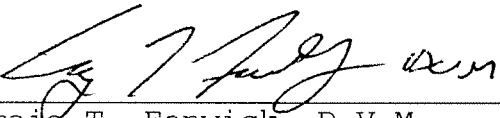
2. Dr. Fenwick shall pay a civil penalty in the amount of \$1,500.00 for record keeping violations, contrary to N.J.S.A. 1:45-1.21(h) and N.J.A.C. 13:44-4.9. Such penalty shall be paid by certified check or money order made payable to the State of New Jersey and submitted to Leslie G. Aronson, Executive Director, State Board of Veterinary Medical Examiners, 124 Halsey Street, P.O. Box 45020, Newark, New Jersey 07101, contemporaneously with Respondent's submission of this Order. Subsequent violations will subject Respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25. Failure to timely remit any and all payments required by this Order will result in the filing of a Certificate of Debt and may result in subsequent further proceedings including disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
VETERINARY MEDICAL EXAMINERS

By:

Mark W. Logan VMD
MARK W. LOGAN, V.M.D.
President

I have read and understand
the within Consent Order and
agree to be bound by its terms.
Consent is hereby given to the
Board to enter this Order.



Craig T. Fenwick, D.V.M.

DATED: 1-8-11